

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

AMSTED INDUSTRIES INCORPORATED

Plaintiff,

v.

No. 11-cv-659-DRH-SCW

**TIANRUI GROUP FOUNDRY COMPANY,
LTD., CSR QISHUYAN LOCOMOTIVE
COMPANY, LTD., STANDARD CAR TRUCK
COMPANY, INC., WESTINGHOUSE
AIR BRAKE TECHNOLOGIES CORPORATION,
CKD KUTNSA HORA, A.S, and
OMNICAST, LLC,**

Defendants.

ORDER

HERNDON, Chief Judge:

Before the Court is plaintiff's notice of voluntary dismissal without prejudice as to defendant CSR Qishuyan Locomotive Company, Ltd. (Qishuyan) pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1) (Doc. 83). As plaintiff states, voluntary dismissal without prejudice under Rule 41(a)(1) is appropriate as defendant Qishuyan has not yet answered the complaint. The notice seeks dismissal without prejudice of defendant Qishuyan only. The Court hereby **ACKNOWLEDGES** said notice and holds that defendant Qishuyan is hereby **DISMISSED WITHOUT PREJUDICE** from this suit.

IT IS SO ORDERED.

Signed this 19th day of January, 2012.

  David R. Herndon
2012.01.19 11:04:09
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**Chief Judge
United States District Court**